

REMARKS

Claims 55-107 are currently pending in the application. Claims 1-54 have been canceled without prejudice. Applicants have withdrawn claims 57-60 and 106-107 without prejudice. Applicants reserve the right to file one or more continuation or divisional applications to any canceled or withdrawn subject matter. Claims 55, 56, 61-105 are therefore pending on the merits upon entry of this paper. No new matter has been added.

I. Election

Applicants would first like to point out that the pending claims are directed to compounds of formula III, IV, and V not compounds of I and II as stated on page 2 of the office action.

Applicants elect the compound of formula III as recited in claim 55. Applicants elect the single species encompassed by formula III with traverse, wherein:

R^{11} is $-(CH_2)_{11}CH_3$;

X^{11} is O;

X^{12} is O;

R^{12} is $-(CH_2)_{11}CH_3$;

X^{13} is O;

n is 0; and

R^{13} is an anticancer agent, specifically gemcitabine.

Applicants respectfully submit that a single search of (C_1-C_{16}) alkyl would necessarily encompass all of the species recited by R^{11} and R^{12} in claim 55. Moreover, Applicants further submit that a search of anticancer agents would necessarily encompass the anticancer agents recited by the pending claims.

Applicants respectfully submit that claims 55, 56 and 61-105 are readable on the elected species.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this


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application, including fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time, fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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